

Declaration and Power of Attorney For Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD FOR MODIFICATION OF RADIOTHERAPY TREATMENT DELIVERY (Attorney Docket No. 013869-9005-00), the specification of which was filed with our authority, on March 6, 2003, as International Application No. PCT/US03/07014 and was amended on September 4, 2004.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

As a named inventor, I hereby appoint the following registered practitioners associated with the customer number identified below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith; and request that the Office direct all communications in or pertaining to this application to:

Customer Number

23409

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of the foreign application for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PCT/US03/07014  
(Number)

Prior Foreign Application  
PCT  
(Country)

6 March 2003  
(Day/Month/Year Filed)

I hereby claim priority benefit under Title 35, United States Code, §119 of the provisional U.S. patent application listed below:

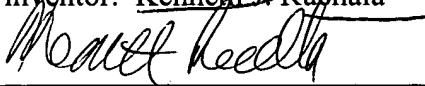
Application Serial No.  
60/362,112

Filing Date  
6 March 2002

**BEST AVAILABLE COPY**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-50 Full name of first joint inventor: Kenneth J. Ruchala

Inventor's signature: 

Date: April 18, 05

Residence:

Madison, WI WI

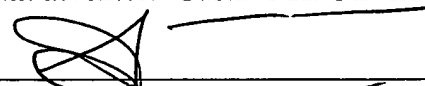
Citizenship:

United States

Post Office Address:

334 N. Allen Street, Apt. #5  
Madison, WI 53726

2-50 Full name of second joint inventor: Gustavo H. Olivera

Inventor's signature: 

Date: April 18, 05

Residence:

Madison, WI WI

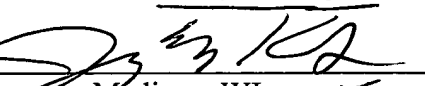
Citizenship:

Argentina

Post Office Address:

6221 Dominion Drive  
Madison, WI 53718

3-50 Full name of third joint inventor: Jeffrey M. Kapatoes

Inventor's signature: 

Date: 18 Apr 05

Residence:

Madison, WI WI

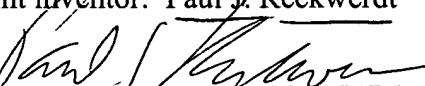
Citizenship:

United States

Post Office Address:

2814 E. Johnson Street, Apt. #3  
Madison, WI 53704

4-50 Full name of fourth joint inventor: Paul J. Reckwerdt

Inventor's signature: 

Date: April 18-05

Residence:

Madison, WI WI

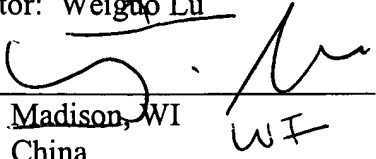
Citizenship:

United States

Post Office Address:

905 Menomonie Lane  
Madison, WI 53704

5-00 Full name of fifth joint inventor: Weiguo Lu

Inventor's signature: 

Date:

4/18/05

Residence:

Madison, WI

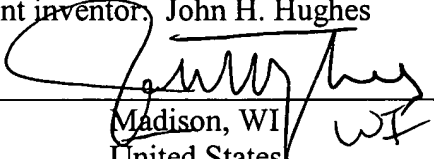
Citizenship:

China

Post Office Address:

1237 Jasmine Drive  
Madison, WI 53719

6-00 Full name of sixth joint inventor: John H. Hughes

Inventor's signature: 

Date:

4/18/05

Residence:

Madison, WI

Citizenship:

United States

Post Office Address:

7213 W. Valhalla Way  
Madison, WI 53719

10/506866 #4

Rec'd PCT/PTO 16 MAY 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Group Art Unit Unknown

In re

Patent Application of

Kenneth J. Ruchala, et al.

Application No. 10/506,866

U.S. National Phase of PCT/US03/07014

Confirmation No. Unknown

Filed: September 4, 2004

Examiner: Unknown

METHOD FOR MODIFICATION OF  
RADIOTHERAPY TREATMENT DELIVERY

**REVOCATION AND SUBSTITUTE POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

TomoTherapy, Inc., being the owner of all right, title and interest in the above identified patent application hereby revokes all powers of attorney previously granted in connection with said patent application and hereby appoints the registered practitioners associated with the customer number identified below to transact all business in the Patent and Trademark Office connected therewith.

Customer Number                      23409

Please send all further correspondence to **Customer Number 23409**. This customer number is assigned to:

Thomas A. Miller  
Michael Best & Friedrich LLP  
100 East Wisconsin Avenue  
Suite 3300  
Milwaukee, Wisconsin 53202-4108  
Telephone: 414.271.6560

TomoTherapy, Inc.

Signature: TR Mackie

Print Name: Thomas R Mackie

Title: Chairman

Date: Apr 18/05

File No.: 013869-9005-00